

**REMARKS**

This Application has been carefully reviewed in light of the Office Action mailed September 18, 2003. Applicants appreciate the Examiner's consideration of the Application. Claims 1-3, 6, 12, 14, 15, 19, 23, 25, and 27 have been amended to clarify, more particularly point out, and more distinctly claim inventive concepts previously present in these claims. These amendments are not considered necessary for patentability. New Claims 32-34 have been added. Applicants respectfully submit that no new matter has been added by the amendments to the claims or by the new claims. In order to advance prosecution of this Application, Applicants have responded to each notation by the Examiner. Applicants respectfully request reconsideration and favorable action in this case.

**Claim Objections**

The Examiner objects to Claims 15-18 as being dependent upon a rejected base claim, but stated that Claims 15-18 would be allowable if rewritten in independent form including the limitations of the base claim and any intervening claims. (Office Action, page 11, paragraph 1). Claims 15-18 have been amended to include the limitations of the base claim and any intervening claims. Accordingly, Applicants respectfully request allowance of Claims 15-18.

Claims 2, 3, 14, 23, and 27 are amended in accordance with instructions from the Examiner to correct informalities. (Office Action, page 2, paragraph 2). Applicants thank the Examiner for pointing out the informalities. Accordingly, Applicants respectfully request allowance of Claims 2, 3, 14, 23, and 27.

The Examiner objects to Claims 12-24 because, "As to Claim 12, it is not clear what's the relationship between the third page and the first and second pages... ." (Office Action, page 2, paragraph 3). The Examiner also objects to Claims 12-24 because, "As to Claim 19, it is not clear what's the relationship between the fourth page and the first, the second, and the third pages [i.e., having a link associated with the first or second pages? In particular, since the third page has being prohibited in the parent claim (i.e., the third page has never been rendered), it is not clear what's the sequential order of the third and fourth pages?]." (Office Action, page 11, paragraph 3).

Applicants respectfully argue that any more specific relationship between the third page and the first and second pages is not required to particularly point out and distinctly

claim the subject matter the Applicants regard as the invention. Applicants also respectfully argue that any more specific relationship between the fourth page and the first, the second, and the third pages, and the sequential order of the third and fourth pages are not required to particularly point out and distinctly claim the subject matter the Applicants regard as the invention. If the claims, read in light of the specification, reasonably apprise those skilled in the art both of the utilization and scope of the invention, and if the language is as precise as the subject matter permits, the statute (35 USC 112, second paragraph) demands no more. MPEP §2173.05(a) (citing *Shatterproof Glass Corp. v. Libbey Owens Ford Co.*, 758 F.2d 613, 225 USPQ 634 (Fed. Cir. 1985)). Claims 12 and 19 particularly point out and distinctly claim the subject matter the Applicants regard as the invention. Accordingly, Claims 12-24 are allowable.

#### **Section 102 Rejection**

The Examiner rejects Claims 1-3, 6, and 10-11 under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent No. 6,567,843 to Schumacher ("*Schumacher*"). Applicants respectfully traverse this rejection and any statements therein for the reasons discussed below.

Applicants respectfully submit that *Schumacher* fails to disclose the elements specifically recited in Applicants' claims. For example, *Schumacher* fails to disclose the elements specifically recited in Applicants' Claims 1 and 6:

(1) a "director operable to provide web browsing capabilities" (recited by Claims 1 and 6); or

(2) the customizable director comprising "a border portion having a forward element, a play element and a back element" and "a display portion operable to display a first web page, the first web page having a link, the link having an associated second web page" (recited by Claim 1).

As a first example, *Schumacher* fails to disclose, teach, or suggest a "director operable to provide web browsing capabilities." According to the passage of *Schumacher* referenced by the Examiner, *Schumacher* discloses a director-controlled web server:

A director-controlled web server comprises a processing system, an interface, and a screen. Using the screen, the director selects a web site to provide content pages to participating browsers. The interface then receives refresh messages from the participating browsers and transfers the refresh

messages to the processing system. The processing system generates responses with a refresh tag and the URL for the currently selected web site. The interface transfers the responses to the participating browsers.

(*Schumacher*, Abstract). That is, *Schumacher* is directed to a director for a web server that provides pages, but not a director for a web browser that receives pages. Consequently, at a minimum, *Schumacher* fails to disclose, teach, or suggest, a "director operable to provide web browsing capabilities," as recited in Applicants' Claims 1 and 6.

As a second example, *Schumacher* fails to disclose, teach, or suggest, "a border portion having a forward element, a play element and a back element" or "a display portion operable to display a first web page," as recited by Applicants' Claim 1. The Examiner relies on "all browsers have these three border elements" and "all browsers have a display portion that start with a first web page having a plurality of links to another web page." (Office Action, page 3, paragraph 3). While the Examiner has clearly not taken Official Notice, Applicants respectfully remind the Examiner, "It would not be appropriate for the examiner to take official notice of facts without citing a prior art reference where the facts asserted to be well known are not capable of instant and unquestionable demonstration as being well-known." M.P.E.P. § 2144.03. Applicants traverse these assertions made by the Examiner as to the rejection of Claim 1. Applicants further request that the Examiner produce a reference in support of his position pursuant to M.P.E.P. § 2144.03. If the Examiner is relying on personal knowledge to supply the required teaching, Applicants respectfully request that the Examiner produce an affidavit supporting such facts pursuant to M.P.E.P. § 2144.03.

For at least these reasons, *Schumacher* fails to disclose the elements specifically recited in Applicants' independent Claims 1 and 6.

Applicants' dependent Claims 2, 3, 10, and 11 are allowable based on their dependence on the independent claims and further because they recite numerous additional patentable distinctions over the prior art. Because Applicants believe they have amply demonstrated the allowability of the independent claims over the prior art, and to avoid burdening the record, Applicants have not provided detailed remarks concerning these dependent claims. Applicants, however, remain ready to provide such remarks if it becomes appropriate to do so.

Applicants respectfully request reconsideration and allowance of independent Claims 1 and 6 and Claims 2, 3, 10, and 11 that depend on these claims.

The Examiner rejects Claim 31 under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent No. 6,587,873 to Nobakht et al. ("*Nobakht*"). Applicants respectfully traverse this rejection for the reasons discussed below.

Applicants respectfully submit that *Nobakht* fails to disclose the elements specifically recited in Applicants' claim. For example, *Nobakht* fails to disclose "an electronic mail module operable to communicate with the identifier module and communicate anonymous electronic mail between directors."

The passages relied on by the Examiner make reference only to electronic mail access. According to *Nobakht*:

In addition, network database 416 may store optional user home page information that allows each user convenient and secure access to e-mail, chat, and other Internet applications currently available to conventional network users.

(*Nobakht*, column 8, lines 41-45).

For example, as indicated in display 132 at the bottom of FIG. 4, user page information may include currently-received e-mail messages, stock portfolio information, and links to local news providers that are of particular interest to the user.

(*Nobakht*, column 9, lines 54-58). *Nobakht*, however, fails to disclose "an electronic mail module operable to communicate with the identifier module and communicate anonymous electronic mail between directors." Applicants respectfully point out that a sufficiently disclosed invention must be enabling. "[A] §102(b) reference must sufficiently describe the claimed invention to have placed the public in possession of it.... [E]ven if the claimed invention is disclosed in a printed publication, that disclosure will not suffice as prior art if it was not enabling...." *Paperless Accounting, Inc. v. Bay Area Rapid Transit Systems*, 804 F.2d 659, 665, 231 USPQ 649, 653 (Fed. Cir. 1986). For at least these reasons, *Nobakht* fails to disclose the elements specifically recited in Applicants' independent Claim 31. Applicants respectfully request reconsideration and allowance of independent Claim 31.

### **Section 103(a) Rejection**

The Examiner rejects under 35 U.S.C. § 103(a): Claim 4 as being unpatentable over *Schumacher* in view of *Nobakht*; Claim 5 as being unpatentable over *Schumacher*; and

Claims 7-9, 12-14, and 19-30 as being unpatentable over *Schumacher* in view of U.S. Patent No. 6,208,001 to Walker et al. ("*Walker*"). Applicants respectfully traverse this rejection and any assertions therein for the reasons discussed below.

Applicants respectfully submit that the specific combinations of references as suggested by the Examiner fails to disclose, teach, or suggest elements specifically recited in Applicants' claims. For at least the reasons presented above, *Schumacher*, even in combination with *Walker*, fails to disclose, teach, or suggest, a "director operable to provide web browsing capabilities," as recited in Applicants' Claims 12 and 25.

Applicants' dependent Claims 4, 5, 7-9, 13, 14, and 19-24, and 26-30 are allowable based on their dependence on the independent claims and further because they recite numerous additional patentable distinctions over the prior art. Because Applicants believe they have amply demonstrated the allowability of the independent claims over the prior art, and to avoid burdening the record, Applicants have not provided detailed remarks concerning these dependent claims. Applicants, however, remain ready to provide such remarks if it becomes appropriate to do so.

Applicants respectfully request reconsideration and allowance of independent Claim 12 and 25 and all claims that depend on these claims.

**CONCLUSION**

Applicants have made an earnest attempt to place this case in condition for allowance. For at least the foregoing reasons, Applicants respectfully request full allowance of all the pending claims.

If the Examiner believes a telephone conference would advance prosecution of this case in any way, the Examiner is invited to contact Keiko Ichiye, the Attorney for Applicants, at the Examiner's convenience at (214) 953-6494.

A check in the amount of \$70.00 is submitted with this Response to cover the fee for additional independent and dependent claims. Although Applicants believe no additional fees are due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.  
Attorneys for Applicants



Keiko Ichiye  
Reg. No. 45,460

KI/lis

**Correspondence Address:**

Baker Botts L.L.P.  
2001 Ross Avenue, Suite 600  
Dallas, Texas 75201-2980  
(214) 953-6494  
Date: December 12, 2003